

In the drawings

Please replace the originally-filed single sheet of drawing containaing Figures 1 and 2 with the enclosed sheet of drawing containing the same figures.

Remarks

The within amendment is supplemental to applicant's remarks filed June 2, 2005, in response to the outstanding Office Action in the above-identified patent application.

On July 28, 2005, Examiner Price and applicant's undersigned attorney held a telephone interview, initiated by the Examiner, to discuss pending process claim 9. Applicant's attorney reiterated that the claimed process step of rotating applicant's tool to effect cracking of the underside of the tail shell of a crustacean is not shown or suggested in any of the references of record. The Examiner stated that he did not understand how the claimed tool is rotated and that the rotation is not illustrated in the drawings. No agreement as to the allowability of independent claim 9 was reached during this telephone interview. However, Examiner Price invited applicant to file an amendment to clarify how the claimed step of rotating applicant's tool is carried out.

In response to the Examiner's suggestion, applicant has amended Figure 1 of the drawings to clearly depict the claimed longitudinal axis of applicant's tool and the clockwise and counterclockwise directions in which the tool is claimed to be rotated about this longitudinal axis. Applicant has also amended page 7 of the specification to include a reference to the now-depicted longitudinal axis. In addition, applicant has amended independent claim 9 to direct it much more specifically to the claimed tool for carrying out his claimed process. Claim 11 has also been amended, consistent with the specification and drawings, to recite rotation of applicant's tool in either the clockwise or counterclockwise direction.

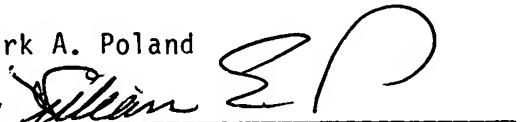
It is applicant's position that the specifically-claimed tool for carrying out his claimed process is not shown or suggested by any of the references of record, taken alone or in any combination. Furthermore, as argued in great detail in applicant's remarks filed June 28, 2005, it is believed that applicant's specifically-claimed process step of rotating his tool about its longitudinal axis to effect cracking of the underside of the tail shell of a crustacean while preserving the integrity of the delicate meat contained therein is likewise not shown or suggested by any of the references of record.

It is therefore respectfully submitted that applicant's claims 9-11 and 13-15, as presently amended, in addition to allowable claim 12, are clearly patentable over the Williams, Jr. reference, as well as over all of the other references of record, taken alone or in any combination, and that this application is now in condition for allowance. Favorable action is accordingly solicited.

Respectfully submitted,

Mark A. Poland

By

A handwritten signature in dark ink, appearing to read "William E. Hein", is written over a horizontal line.

William E. Hein
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